

HOUSE BILL 505

By Todd

AN ACT to amend Tennessee Code Annotated, Title 3,  
Chapter 6, relative to ethics.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 3-6-117(a), is amended by deleting the first sentence in its entirety and by substituting instead the following:

Except as otherwise provided in subdivision (2), the commission is the only entity authorized to issue formal advisory opinions.

SECTION 2. Tennessee Code Annotated, Section 3-6-117(a), is amended by designating such language as subdivision "(1)" and by adding the following new language, to be designated as subdivision "(2)":

(2) If, acting pursuant to subdivision (1), an official in the legislative branch, an official in the executive branch, a registered employer of a lobbyist or a registered lobbyist requests the commission to issue a formal advisory opinion involving a matter of statutory interpretation and if the commission does not issue the opinion within thirty (30) days or if the requesting official, employer or lobbyist has reason to believe that the issued opinion did not correctly interpret the relevant statutory provisions, then the official, employer or lobbyist may also request the attorney general and reporter to issue a formal advisory opinion on the matter. Any person, who conforms his or her behavior to the requirements of the attorney general's formal advisory opinion on the matter, shall not be sanctioned if it is judicially determined that the attorney general's advisory opinion did not correctly interpret the statutory provisions. An official, employer or lobbyist who requests any such advisory opinion of the attorney general shall be entitled to withdraw

the request at any time before the opinion is issued, in which case the attorney general shall not issue the opinion.

SECTION 3. Tennessee Code Annotated, Section 3-6-117(b)(5)(A), is amended by deleting the third sentence in its entirety and by substituting instead the following:

Whether or not a request for an informal response is answered verbally, all informal responses shall be issued by electronic mail within ten (10) days to the person who made the request, with a copy to the members of the commission.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.